

REMARKS

Claims 42-68 are currently pending, of which claims 42, 55, and 64 are independent.

Claim 42 is directed to a push-to-talk (PTT) controller configured to establish a local ad hoc group session between an inviting mobile terminal and one or more other mobile terminals located within a specified local area of the inviting mobile terminal. Claim 42 recites, "a presence server configured to identify one or more local mobile terminals that are within a local area of an inviting mobile terminal." This identification serves a particular purpose in the claimed invention - it allows a group server to establish an *ad hoc* communications session between the inviting mobile terminal and one or more of those specified (i.e., identified) mobile terminals, even though the inviting mobile terminal may not know the identities of those mobile terminals. A push-to-talk server can then establish a communication session between the mobile terminals in the ad hoc group and the inviting mobile terminal.

Claim 42 stands rejected as being anticipated by Turcanu (U.S. Pat. App. Pub. No. 2005/0054361). Turcanu discloses a system and method of providing group members on a group call with summarized information. To that end, Turcanu utilizes a presence server to track and store a variety of different attributes regarding the User Terminals (UTs) in a group. One such optional attribute stored by the presence server is the geographical locations of one or more UTs as they travel through the network.

Although the disclosed presence server can track and store the locations of the UTs, that presence server does not "identify one or more local mobile terminals that are within a local area of an inviting mobile terminal," as claimed. According to Turcanu, the presence server simply maintains UT location information so that it can disseminate that information with the presence summary information to the UTs. *Turcanu*, p. 3, ¶[0034]. That is the only disclosed use for the location information in Turcanu. Turcanu certainly does not disclose that the location information is used to initiate communications with identified UTs, as is done in claim 42.

Merely because the information stored at the presence server may include location information does not mean that the presence server uses that information to identify one or more UTs that are within a local area of an inviting UT, as claimed. And, if the presence server does not identify those local UTs, Turcanu cannot possibly disclose “a group server configured to create an ad-hoc group for a local ad-hoc group session including the inviting mobile terminal and one or more of the [identified] local mobile terminals within the local area of the inviting mobile terminal.” Turcanu therefore does not teach each element of claim 42, and thus, cannot anticipate claim 42 or any of its dependent claims.

The other independent claims 55 and 64 also stand rejected as being anticipated by Turcanu for the same reasons as those stated for claim 42. Claim 55 is directed to a method of establishing a local ad hoc group session in a wireless network between an inviting mobile terminal and one or more local mobile terminals. Claim 64 is directed to a push-to-talk controller in a wireless network that establishes a push-to-talk communication session for a local ad hoc group comprising an inviting mobile terminal and local mobile terminals. Both claims contain language similar to that of claim 42. Therefore, for reasons similar to those stated above, Turcanu does not anticipate either of claims 55 and 64, or any of their respective dependent claims.

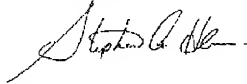
Finally, the Office Action indicates that dependent claims 48 and 60 are rendered obvious over Turcanu in view of Winchell (U.S. Pat. App. Pub. No. 2002/0151321). However, since their respective independent claims are patentable over the cited art, so, too, are claims 48 and 60. Additionally, Winchell does not remedy the deficiencies of Turcanu. Therefore, claims 48 and 60 are non-obvious over the cited references.

In light of the foregoing remarks, all pending claims are patentable over the cited art.

Accordingly, Applicant requests allowance of all pending claims.

Respectfully submitted,

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A handwritten signature in black ink, appearing to read "Stephen A. Herrera", with a long horizontal flourish extending to the right.

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